

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1811 of 2021**

Arising Out of PS. Case No.-541 Year-2020 Thana- KHAJANCHI HAT District- Purnia

MD. AFROJ ALAM @ MD. AFROJ Son of Samsul Haue Resident of Village
- Rangpura, P.S.- Mirganj, District - Purnea.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Amit Kumar Anand, Advocate

For the Respondent/s : Ms. Usha Kumari, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 02-07-2021 Let the defects be removed within four weeks after
start of the physical Court.

Heard the parties in virtual Court proceeding.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 against the refusal of prayer for bail by
order dated 28.01.2021 passed by the learned Special Judge
(SC/ST Act), Purnea in connection with Special SC/ST Case
No. 05 of 2021/CIS No. 05 of 2021 arising out of K. Hat P.S.
Case No. 541 of 2020 registered under Sections 324, 302,



120(B)/34 of the I.P.C., Section 27 of the Arms Act and Section 3(2)(v) of the SC/ST Act.

Appellant is not named in the FIR whereas six others are named in the FIR. During investigation in the extracted confessional statement of co-accused, name of the appellant surfaced. Investigation of the case is already complete. Appellant has stated on oath that he has got no criminal antecedent.

Considering the facts aforesaid, let the appellant, above named, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with the aforesaid case, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The appellant shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

(c) The appellant shall not leave the country without permission of the trial Court.

Accordingly, the impugned order is set aside and the



appeal is allowed.

(Birendra Kumar, J)

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